

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 EBONY HOWARD, individually, and on
4 behalf of all others similarly situated,

5 Plaintiff,

6 vs.

7 SOUTHWEST GAS CORPORATION,

8 Defendant.

Case No.: 2:18-cv-01035-JAD-VCF

ORDER GRANTING
JOINT MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND
COLLECTIVE ACTION SETTLEMENT

ECF Nos. 18, 22

9
10 Upon consideration of the Joint Motion for Preliminary Approval of the class-wide
11 settlement and its supporting memorandum, exhibits, and affidavit, ECF Nos. 18, 22, and
12

13 It appearing that the proposed settlement is fair and reasonable, and

14 It further appearing that Notice of the Proposed Settlement and an opportunity to object
15 will be sent to all class members,

16 IT IS THEREFORE ORDERED that the Joint Motion for Preliminary Approval
17 [ECF Nos. 18, 22] is GRANTED; IT IS FURTHER
18

19 ORDERED that for purposes of settlement a Settlement Class is certified consisting of the
20 following classes:

21 For purposes of the FLSA settlement, the "Settlement Class" consists of all
22 current or former hourly-paid dispatchers who work or worked for
23 Defendant at any time between June 22, 2015 and October 1, 2018. The
24 individuals have been identified in the settlement shares spreadsheet
25 provided by Defendant to Class Counsel.

26 For purposes of the Rule 23 Nevada settlement, the "Settlement Class"
27 consists of all current or former hourly-paid dispatchers who work or
28 worked for Defendant in the state of Nevada at any time between June 7,
2016 and October 1, 2018. These individuals have been identified in the
settlement shares spreadsheet provided by Defendant to Class Counsel.

ORDERED that Jason T. Brown and Nicholas Conlon of Brown, LLC are appointed Class

1 Counsel for the Settlement Class;

2 ORDERED that:

- 3
- 4 • All capitalized terms not otherwise defined in this Order shall have the same meaning
5 ascribed to them in the Parties' Settlement Agreement;
 - 6 • JND Legal Administration will serve as "Claims Administrator" in providing notice,
7 objection, claim process and administration services under the Settlement Agreement,
8 if preliminarily or finally determined to be fair;
 - 9 • Within ten (10) days of this Order, the Claims Administrator shall send by first-class
10 mail and email the Notice of Proposed Settlement (including Consent to Join and Opt
11 Out Forms) to all class members;
 - 12 • Class members shall lodge objections/opt-outs or submit claims as set forth in the
13 Notice of Proposed Settlement (including Consent to Join Form), which were jointly
14 proposed by the Parties and filed with the Court;
 - 15 • The Claims Administrator shall promptly send all completed Consent to Join Forms to
16 Plaintiff's Counsel, who shall file such forms with the Court pursuant to 29 U.S.C. §
17 216(b).
18

19 ORDERED that the form and content of the Notice of Proposed Settlement set forth in the
20 Joint Motion for Preliminary Approval is adequate, proper, comports with Due Process and are
21 hereby approved;
22

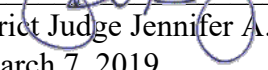
23 ORDERED that a final fairness hearing be held on 6/10/19 at 3 p.m. at the U.S.
24 District Court for the District of Nevada, Lloyd D. George Federal Courthouse, 333 Las Vegas
25 Blvd. South, Las Vegas, NV 89101, Courtroom 6D.

26 ORDERED that counsel for the Parties shall file motion papers for final approval of all
27 terms of the Settlement Agreement no later than fourteen (14) days before the final fairness
28

1 hearing ; and it is

2 ORDERED that the *Howard* action is stayed pending the Court's ruling on the settlement
3 at the final approval hearing.

4 Counsel for the Parties are hereby authorized to jointly use all reasonable procedures in
5 connection with approval and administration of the settlement that are not materially inconsistent
6 with this Order or the Settlement Agreement, including making, without further approval of the
7 Court, minor changes to the form or content of the Notice, and other exhibits that they jointly
8 agree are reasonable or necessary.
9

10 
11 U.S. District Judge Jennifer A. Dorsey
12 Dated: March 7, 2019
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28